



March 26, 2012

**VIA ECF AND FEDERAL EXPRESS**

Honorable Lois H. Goodman, U.S.M.J.  
U.S. District Court for the District of New Jersey  
Clarkson S. Fisher Federal Building & U.S. Courthouse  
402 East State Street  
Trenton, New Jersey 08608

**Re: Orexo AB v. Mylan Pharmaceuticals Inc., et al.  
Civil Action No. 11-3788 (FLW) (LHG)**

Dear Judge Goodman:

Our firm, along with our co-counsel Milbank, Tweed, Hadley & McCloy, represents Plaintiff Orexo AB in the above-referenced matter. We write on behalf of all parties to seek the Court's approval to adjust the case schedule based upon the following agreement between the parties:

(a) Mylan will revise and re-serve its Invalidity Contentions on or before Friday, March 30, and, Mylan would also have the option of revising and re-serving its Non-Infringement Contentions.

(b) Orexo will serve its Infringement Contentions and Response to Validity Contentions on or before Friday, April 20.

(c) Thereafter, all discovery deadlines will be pushed back by three weeks, up to but not including the January 25, 2013 close of fact discovery deadline. The January 25, 2013 date and all dates thereafter will remain as scheduled in this Court's February 7, 2012 Pre-Trial Scheduling Order.

The Parties enclose a proposed revised schedule as Exhibit A setting forth all affected dates for the Court's consideration. If the Court finds this revised schedule acceptable, we ask that the Court "So Order" the revised dates as set forth in the attached schedule.

Respectfully,

*s/John E. Flaherty*

John E. Flaherty

cc: All Counsel (via email)

*The claim construction dates are revised in accordance with this letter and the attached schedule. All other dates remain as set forth in the February 7, 2012 Order.*

So Ordered this 28th day  
of March, 2012

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Hon. Lois H. Goodman  
 March 26, 2012  
 Page 3

**Exhibit A**

	<b>February 7, 2012 Pretrial Scheduling Order</b>	<b>Proposed Revised Pretrial Scheduling Order</b>
Defendants' Revised Invalidity Contentions and Non-Infringement Contentions	N/A	March 30, 2012
Plaintiff's Infringement Contentions and Response to Validity Contentions	March 30, 2012	April 20, 2012
Plaintiff's Responses to Invalidity Contentions	March 30, 2012	April 20, 2012
Plaintiff's and Defendants' identification of terms each contend should be construed by the Court and those terms to be governed by 35 U.S.C. § 112(6).	April 13, 2012	May 4, 2012
Plaintiff's and Defendants' must file any motion to amend the pleadings or join new parties with leave of Court	April 27, 2012	<del>May 18, 2012</del> <i>May 25, 2012</i>
Plaintiff's and Defendants' simultaneous exchange of Preliminary Claim Constructions	May 4, 2012	May 25, 2012
Plaintiff's and Defendants' exchange of identification of intrinsic and extrinsic evidence on which each party intends to rely in opposing other party's proposed claim constructions	May 18, 2012	June 8, 2012
Return date for Plaintiff's or Defendants' motion to amend the pleadings or join new parties with leave of Court	May 21, 2012	<del>June 11, 2012</del> <i>June 18, 2012</i>

Hon. Lois H. Goodman  
 March 26, 2012  
 Page 4

Plaintiff's and Defendants' meet and confer regarding Joint Claim Construction and Pre-hearing Statement	May 21, 2012	June 11, 2012
Plaintiff's and Defendants' completion of the Joint Claim Construction and Pre-hearing Statement	June 1, 2012	June 22, 2012
Plaintiff's and Defendants' completion of discovery relating to claim construction	June 29, 2012	July 20, 2012
Plaintiff's and Defendants' filing and service of <i>Markman</i> briefs	July 16, 2012	August 6, 2012
Plaintiff's and Defendants' meet and confer to propose schedule for Claim Construction Hearing	July 27, 2012	August 17, 2012
Conclusion of any discovery from an expert witness who submitted a certification or declaration under L. Pat. R. 4.5(a)	August 15, 2012	September 5, 2012
Plaintiff's and Defendants' filing and service of responding <i>Markman</i> briefs	September 14, 2012	October 5, 2012
Plaintiff's and Defendants' deadline for producing and providing material related to party's reliance on advice of counsel as part of patent-related claim or defense	December 28, 2012	January 18, 2013